

ZONING CHANGE REVIEW SHEET

CASE: - C14-2017-0060 – 5002 - 5006 Hamilton Lane

Z.A.P. DATE: June 20, 2017

ADDRESS: 5002 - 5006 Hamilton Lane

DISTRICT AREA: 10

OWNER/APPLICANT: Edgar Michalk

AGENT: The Agency Austin Inc. (Khalil Ali Salami)

ZONING FROM: SF-2 **TO:** GR

TOTAL AREA: 0.956 acres (41,661 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends rezoning the tract locally known as 5002 and 5006 Hamilton Lane from single family – standard office (SF-2) district zoning to community commercial (GR) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 20, 2017 *APPROVED GR, COMMUNITY COMMERCIAL ZONING, BY CONSENT*
[A. AGUIRRE; B. EVANS – 2ND] (10-0) S. LAVANI - ABSENT

ISSUES:

None at this time

DEPARTMENT COMMENTS:

The subject site is an approximately 1 acre (41,661 square foot) tract, containing 2 platted lots located on the north side of Hamilton Lane, an east-west street that connects the frontage road of U.S. Highway 183 and Jollyville Road.

The tract is zoned SF-2 and is currently undeveloped. In recent years, there was a mobile home on the tract which has now been removed. (see Exhibit F - Photos) Surrounding uses are an automotive repair and ministorage facility to the east, a small office to the west, and a large office complex and parking structure to the north. To the south, across Hamilton Road, is a large grocery store.

The applicant is requesting a zoning change to community commercial (GR). The applicant has a concept for a 1-story office building on the property and access would be taken from Hamilton Road as it is at present.

There are two applicable land use studies for this proposed rezoning – the U.S. 183 Area Study, adopted in 1978, and the Jollyville Road Area Study, adopted in 1984. The 183 Study recommended that a 120-foot deep strip of land along Jollyville be zoned “O” Office – a category that was

converted to LO, Limited Office, in 1985; and that a 200 foot strip of land along the west side of Jollyville Road be zoned "A" Residence – a category that was converted to SF-3, Family Residence, in 1985.

The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was repeated in the Jollyville Road Study in 1984, and the policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville has been consistently applied to date. (See Exhibit C – Map from 183 Study). The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning.

Further, the 183 Study recommends commercial zoning be restricted to parcels located within 500 feet of an intersection (see Exhibit D – 183 Study Excerpt). The subject tract is 120 feet from the Jollyville Road intersection and 283 feet from the intersection with the U.S. 183 access road, thus meeting the 500 foot test.

The intent of these recommendations was to create transitions moving west from U.S. 183, to single family areas to the west. The general transition would be from commercial, close to 183; to office, 120 feet on the east side of Jollyville; to single family on the west side of Jollyville. The tract is just east of the 120 feet zone designated for office, therefore a commercial zoning category, also allowing office uses, would be appropriate in this location. The strip between Jollyville and U.S. 183 has current land uses of office and commercial. The proposed community commercial (GR) zoning district is within the pattern of existing zoning and land use for the area.

Staff recommends GR district zoning, as supported by the U.S. 183 Area Study, the Jollyville Road Area Study, and zoning best practices.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|----------------------|---------------------------------|
| <i>Site</i> | SF-2 | Vacant, undeveloped |
| <i>North</i> | GO-CO, LO-CO, CS-CO | Office |
| <i>South</i> | Hamilton Ln, then GR | Hamilton Ln, then Commercial |
| <i>East</i> | CS, GR | Automotive Repair, Mini-storage |
| <i>West</i> | GO-CO | Office, Undeveloped |

NEIGHBORHOOD PLANNING AREA: None

TIA: No, however a TIA may be required at the time of site plan.

WATERSHED: Bull Creek **DESIRED DEVELOPMENT ZONE:** No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

| <i>Community Registry Name</i> | <i>ID</i> |
|---|-----------|
| Austin Heritage Tree Foundation | 1340 |
| Austin Independent School District | 742 |
| Bike Austin | 1528 |
| Bull Creek Foundation | 475 |
| Friends Of Austin Neighborhoods | 1530 |
| Homeless Neighborhood Association | 1550 |
| Long Canyon Homeowners Assn | 269 |
| Mountain Neighborhood Association (MNA) | 1260 |
| North Oaks Neighborhood Assn | 46 |
| Northwest Austin Coalition | 1554 |
| Seltexas | 1363 |
| Sierra Club Austin Regional Group | 1228 |
| TNR BCP - Travis County Natural Resources | 1596 |

SCHOOLS: Davis Elementary, Murchison Middle School, Anderson High School

CASE HISTORIES:

| NUMBER | REQUEST | ZONING AND PLATTING COMMISSION | CITY COUNCIL |
|--|--------------------|--|--|
| C14-05-0182 10938 Research Blvd | From SF-2 to CS-CO | 11-15-05 – APVD STAFF ALT REC OF CS-CO W/CONDS (CO limits trips to 2,000 per day, and prohibits pawn shops and adult oriented businesses) | 12-15-05 – Apvd CS-CO (Ordinance 20051215- Z018) |
| C14-97-0034 10931 Block Of N US Hwy 183 | From GR to CS-CO | 06-03-97- APVD CS-CO (CO limits trips to 2,000 per day) | 06-26-97- Apvd CS-CO (Ordinance 970626-I) |
| C14-97-0136 10904 - 10926 Block Of Jollyville Rd | From LO to MF-2 | 11-25-97 – Apvd Staff Rec of MF-2 | 12-11-97- Apvd MF-2 (Ordinance 971211-H) |

RELATED CASES:

None on subject tract

SUBDIVISION:

The property is platted as Lots 4 and 5, Taylor and Williams Subdivision, C8S-63-119 (see Exhibit E – Subdivision)

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Capital Metro (within ¼ mile) |
|---------------|-------|----------|----------------|-----------|------------|----------------------------------|
| Hamilton Lane | 66 ft | 24 ft | Local | No | No | Yes |

TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR2. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR3. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.

TR4. If the requested zoning is granted, it is recommended that joint access be provided from Hamilton Lane to Lots 4 and 5.

CITY COUNCIL DATE: August 3, 2017

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Scott Grantham

PHONE: 512-974-3574

EMAIL: scott.grantham@austintexas.gov

BASIS FOR RECOMMENDATION

1. The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.

The City Council adopted two applicable plans to the proposed rezoning – the U.S. 183 Study in 1978 and the Jollyville Road Study in 1984. Both plans support the idea of office zoning districts east of Jollyville Road.

2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

The proposed rezoning conforms to a zoning and land use pattern, transitioning from more intense uses close to the U.S. 183 frontage road, offices on the east side of Jollyville Road, and more residential uses on the west side of Jollyville Road.

3. Granting of the request should result in an equal treatment of properties.

Similarly situated properties along Hamilton Road already have community commercial (GR), as well as the general commercial services (CS) zoning designation. It is appropriate for this property to be rezoned similarly to community commercial (GR).

EXISTING CONDITIONS

Site Characteristics

The tract is currently vacant and undeveloped, and takes access to Hamilton Lane. Otherwise, it is covered with trees and vegetation. The tract is relatively flat with minimal grade change.

Impervious Cover

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| <i>Development Classification</i> | <i>% of Net Site Area</i> | <i>% NSA with Transfers</i> |
|-----------------------------------|---------------------------|-----------------------------|
| One or Two Family Residential | 30% | 40% |
| Multifamily Residential | 40% | 55% |
| Commercial | 40% | 55% |

Comprehensive Planning - Kathleen Fox - 512-974-7877

This zoning case is located on the north side of Hamilton Lane, less than 300 ft. east of Jollyville Road on a 0.96 acre parcel (consisting of two tracts of land), which contains vacant land. This case is not located within the boundaries of an area that has a neighborhood plan. Surrounding land uses include a large office complex to the north, a shopping center to the south, an office use to the west, and an auto shop to the east. The proposed use is an office use.

Connectivity: There are no public sidewalks located on Hamilton Lane. There is a public transit stop approximately a third of a mile away along Jollyville Road. The Walkscore for this site is 73/100, meaning most errands may be accomplished by foot.

Imagine Austin

The property is located by an Activity Corridor, (Jollyville Road) as identified on the Imagine Austin's Growth Concept Map. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

While this project is located by an Activity Corridor, based on comparative scale of this site relative to other commercial uses in this area, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

Site Plan Review – Cindy Edmond - 512-974-3437

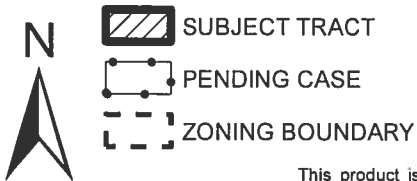
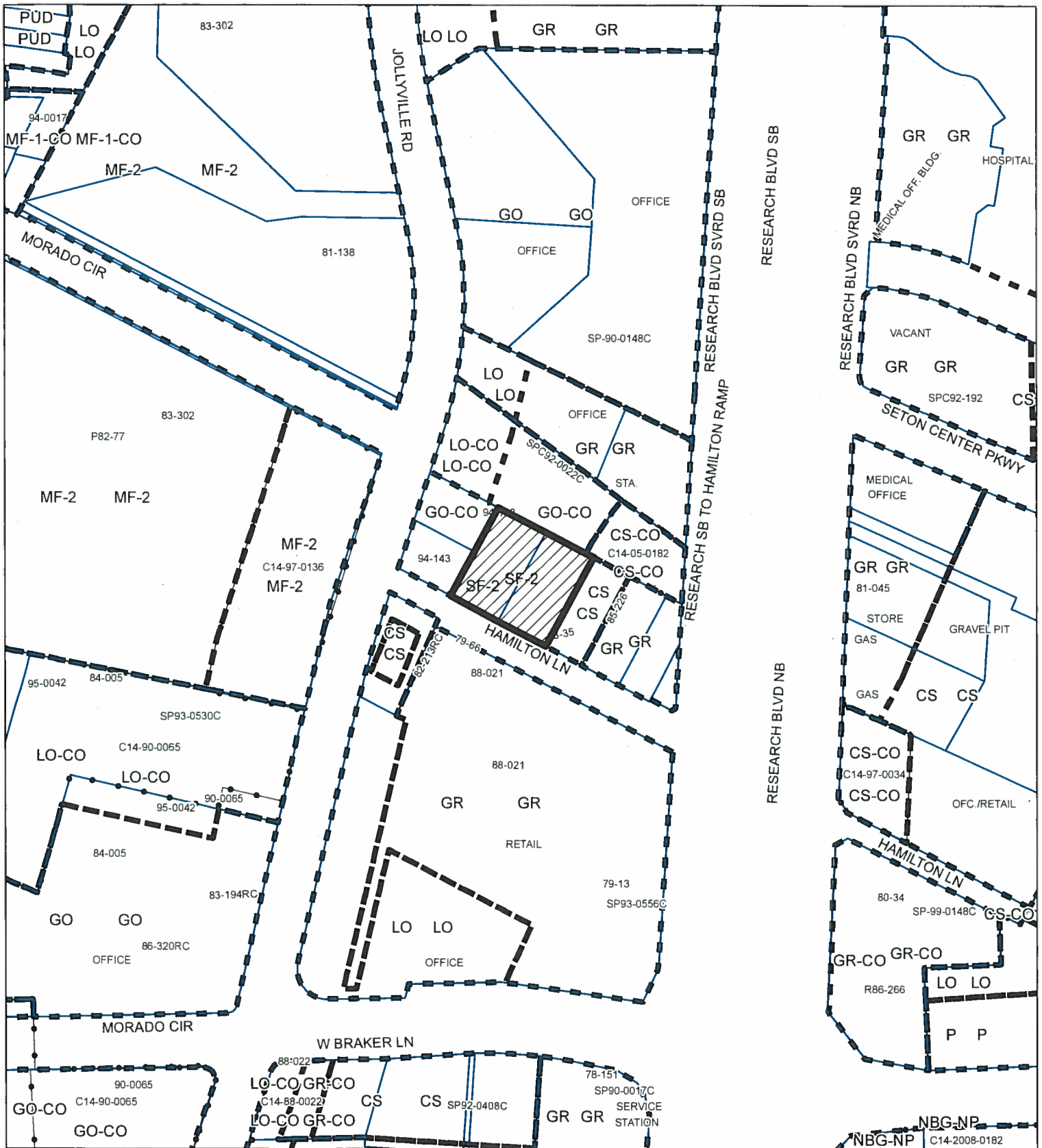
Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Environmental - Mike McDougal - 512-974-6380

1. According to floodplain maps there is no floodplain within or adjacent to the project location.
2. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
3. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
4. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Water Utility – Neil Kepple – 512-972-0077

WW1. The landowner intends to serve the site with a connection to Travis County WCID 17 water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required. The water utility plan must be reviewed and approved by Austin Water for compliance with City criteria. The plan must be approved by Travis County for fire protection.



ZONING
ZONING CASE#: C14-2017-0060

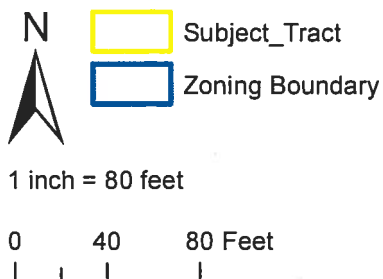
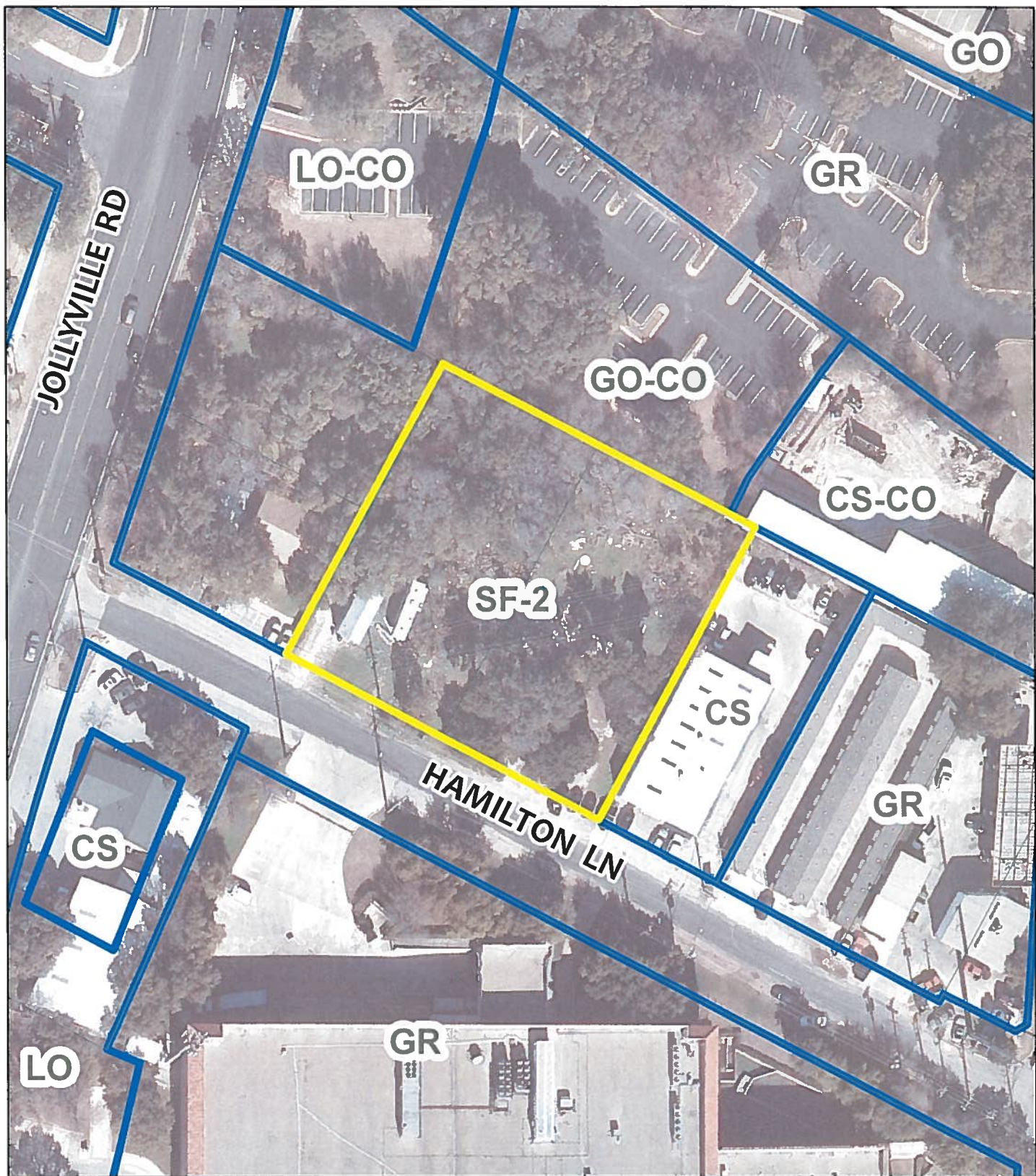
EXHIBIT A

1" = 250'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





ZONING & VICINITY - EXHIBIT B

Zoning Case: C14-2017-0060
 Address: 5002 - 5006 Hamilton Lane
 Subject Area: 0.956 Acres
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



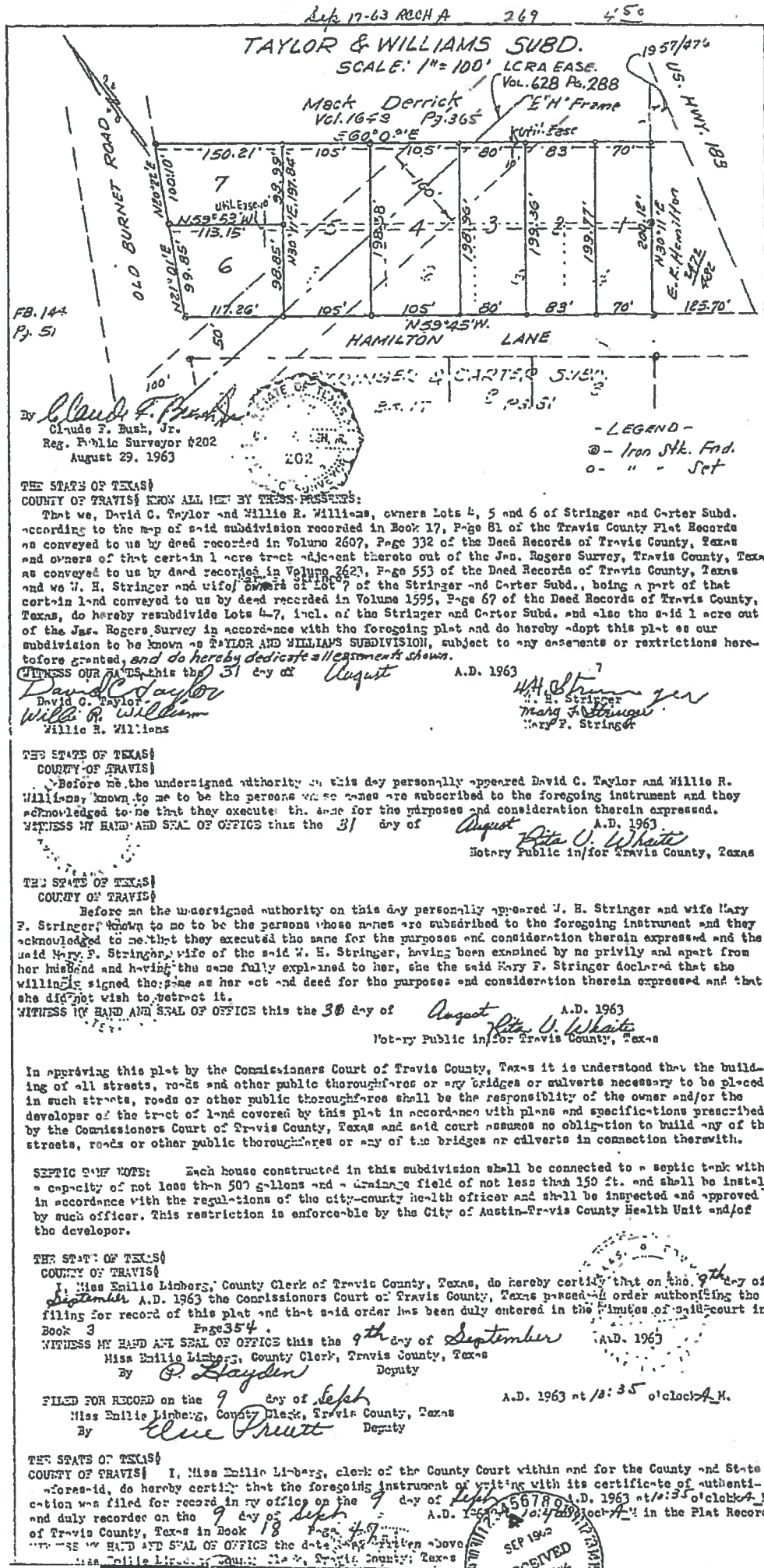
Attachment C



EXHIBIT D - EXCERPT FROM RECOMMENDATIONS 54
FROM 183 STUDY

- C. U.S. 183 should be designated a proposed freeway with 300 foot R.O.W. This would allow the city to impose building setback standards to coincide with R.O.W. requirements in anticipation of a revised schedule for construction by the State.
- D. Jollyville Road (Old U.S. 183) should be designated as a residential collector street from Great Hills Trail to Spicewood Springs Road; Loop 360-MoPac Boulevard.
- E. Diversion of traffic to alternate routes should be accommodated by C.I.P. projects upgrading Parmer Lane and Braker Lane and McNeil Drive to relieve some of the traffic burden on U.S. 183.
- ~~X~~ F. Regional commercial developments should be discouraged from locating in the area or delayed until the street system is adequately improved to accommodate the additional traffic.
- ~~X~~ G. New industrial or major employment centers should be discouraged from locating in the area or coordinate their construction and operation with scheduled transportation improvements.
- H. Commercial zoning should be restricted to parcels located within five hundred (500) feet of an intersection. Those parcels which front on U.S. 183 and are beyond five hundred (500) feet of an intersection should be more restrictively zoned at "O", "BB", "B" or "A". Such a policy would encourage objectives promulgated by the Comprehensive Plan which encourage commercial nodes, as opposed to strip commercial development.
- I. Any subdivision of land fronting on U.S. 183 and not within five hundred (500) feet of an intersection should meet the following criteria:
 - (1) Subdivided parcels requiring access from U.S. 183 should have a minimum of two hundred (200) feet of frontage.
 - (2) Subdivided parcels with less than two hundred (200) feet frontage will be prohibited access to U.S. 183 if alternate access is available. Such parcels should have a minimum depth of one hundred fifty (150) feet and should provide access to an interior street or, in the alternative, provide a right-turn easement in conjunction with adjacent parcels and a common access driveway.

EXHIBIT E
SUBDIVISION
PLAT



P. 51

N 59° 45' W.
HAMILTON LANE

By *Clarence F. Rush, Jr.*
Clarence F. Rush, Jr.
Reg. Public Surveyor #202
August 29, 1963

- LEGEND -

③ - Iron Stk. Fnd.
o - " " Set

THE STATE OF TEXAS
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS:

That we, David C. Taylor and Willie R. Williams, owners Lots 4, 5 and 6 of Stringer and Carter Subd. according to the map of said subdivision recorded in Book 17, Page 81 of the Travis County Plat Records as conveyed to us by deed recorded in Volume 2607, Page 332 of the Deed Records of Travis County, Texas and owners of that certain 1 acre tract adjacent thereto out of the Jas. Rogers Survey, Travis County, Texas as conveyed to us by deed recorded in Volume 2623, Page 553 of the Deed Records of Travis County, Texas and we W. H. Stringer and wife Mary F. Stringer of Lot 7 of the Stringer and Carter Subd., being a part of that certain land conveyed to us by deed recorded in Volume 1595, Page 67 of the Deed Records of Travis County, Texas, do hereby resubdivide Lots 4-7, incl. of the Stringer and Carter Subd. and also the said 1 acre out of the Jas. Rogers Survey in accordance with the foregoing plat and do hereby adopt this plat as our subdivision to be known as TAYLOR AND WILLIAMS SUBDIVISION, subject to any easements or restrictions heretofore granted, and do hereby dedicate all easements shown.

WITNESS OUR HANDS this the 31 day of August A.D. 1963

David C. Taylor
David C. Taylor
Willie R. Williams
Willie R. Williams

W. H. Stringer
W. H. Stringer
Mary F. Stringer
Mary F. Stringer

THE STATE OF TEXAS
COUNTY OF TRAVIS:

Before me the undersigned authority on this day personally appeared David C. Taylor and Willie R. Williams, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE this the 31 day of August A.D. 1963

Rita U. White
Rita U. White
Notary Public in/for Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS:

Before me the undersigned authority on this day personally appeared W. H. Stringer and wife Mary F. Stringer, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same for the purposes and consideration therein expressed and the said Mary F. Stringer, wife of the said W. H. Stringer, having been examined by me privily and apart from her husband and having the same fully explained to her, she the said Mary F. Stringer declared that she willingly signed the same as her act and deed for the purposes and consideration therein expressed and that she did not wish to retract it.

WITNESS MY HAND AND SEAL OF OFFICE this the 30 day of August A.D. 1963

Rita U. White
Rita U. White
Notary Public in/for Travis County, Texas

In approving this plat by the Commissioners Court of Travis County, Texas it is understood that the building of all streets, roads and other public thoroughfares or any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any of the bridges or culverts in connection therewith.

SEPTIC TANK NOTE: Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and a drainage field of not less than 150 ft. and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin-Travis County Health Unit and/or the developer.

THE STATE OF TEXAS
COUNTY OF TRAVIS:

I, Miss Emilie Linberg, County Clerk of Travis County, Texas, do hereby certify that on the 9th day of September A.D. 1963 the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said court in Book 3 Page 354.

WITNESS MY HAND AND SEAL OF OFFICE this the 9th day of September A.D. 1963

Miss Emilie Linberg, County Clerk, Travis County, Texas

By *P. Hayden* Deputy

FILED FOR RECORD on the 9 day of Sept

Miss Emilie Linberg, County Clerk, Travis County, Texas

By *Clare Pruitt* Deputy

A.D. 1963 at 10:35 o'clock A.M.

THE STATE OF TEXAS

COUNTY OF TRAVIS: I, Miss Emilie Linberg, clerk of the County Court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 9 day of Sept A.D. 1963 at 10:35 o'clock A.M. and duly recorded on the 9 day of Sept A.D. 1963 at 10:35 o'clock A.M. in the Plat Records of Travis County, Texas in Book 18 Page 47-1.

WITNESS MY HAND AND SEAL OF OFFICE the date of filing above

Miss Emilie Linberg, County Clerk, Travis County, Texas

By *Clare Pruitt* Deputy



C85-63-119

APPROVED FOR ACCEPTANCE on the 9th day of September, A.D. 1963.

By *Boyle H. Osborne*
Boyle H. Osborne, Director of Planning

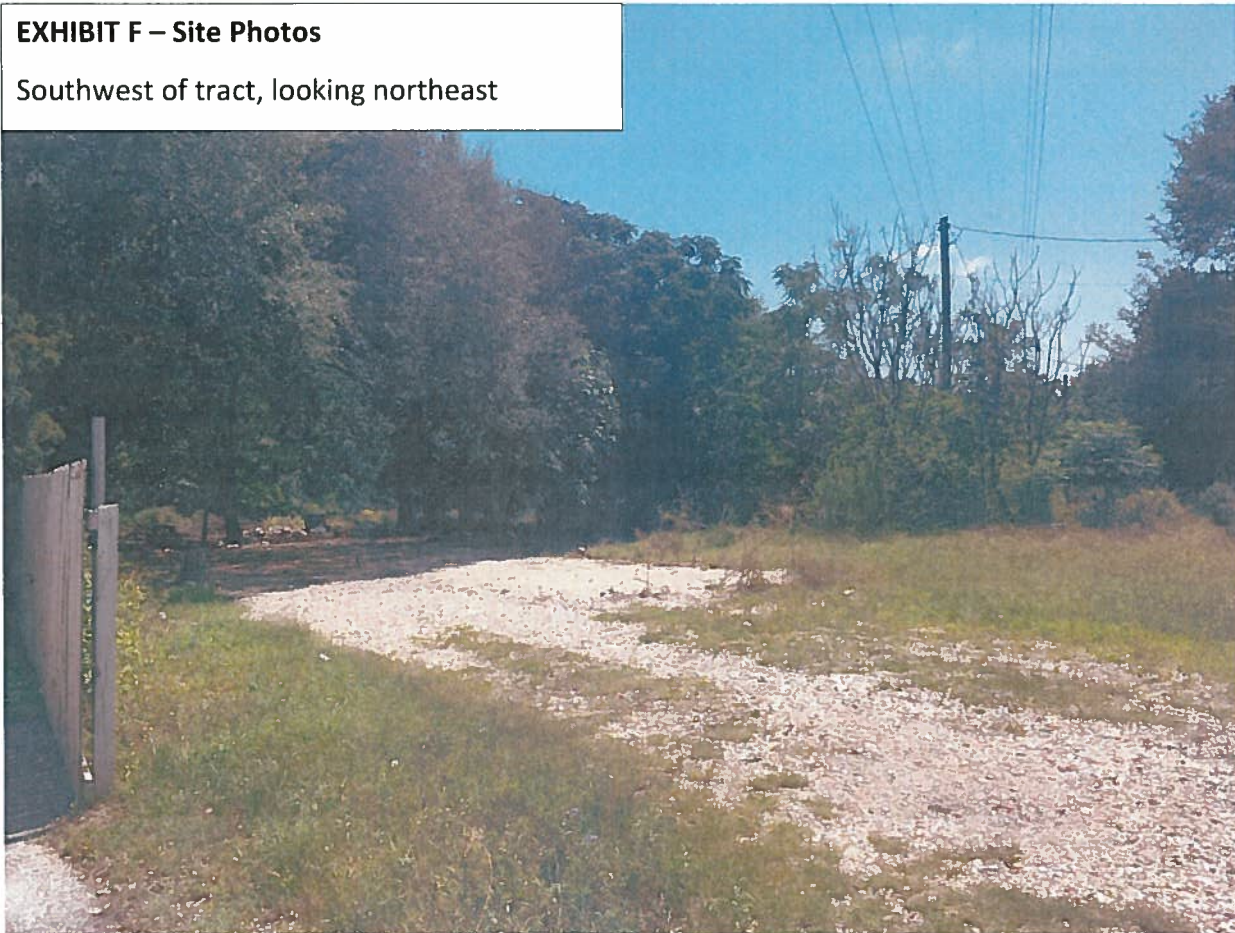
ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 9th day of September, A.D. 1963.

Asst. Secretary *Boyle H. Osborne*

Chairman

EXHIBIT F – Site Photos

Southwest of tract, looking northeast



Southeast of tract, looking northeast



South of tract, looking north

